

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

SID MILLER, et al.,

Plaintiffs,

v.

**TOM VILSACK, in his official capacity
as Secretary of Agriculture,**

Defendant.

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Civil Action No. 4:21-cv-0595-O

ORDER

Before the Court are Corey Lea’s Motion to Joinder (ECF No. 7), filed May 4, 2021; and Lea’s Motion for Leave to Amend Motion to Joinder (ECF No. 14), filed June 1. Lea, proceeding pro se, argues that this Court should allow him to join this lawsuit and assert claims against Plaintiffs. Lea argues that the joinder is proper under Federal Rule of Civil Procedure 20(a). *See* Mot. 1–2 (ECF No. 7).

Joinder and intervention are distinct procedures. *See* Fed. R. Civ. P. 20, 24. “[I]ntervention is the requisite method for a nonparty to become a party to a lawsuit.” *U.S. ex rel. Eisenstein v. City of New York*, 556 U.S. 928, 933 (2009). “Joinder, by contrast, is appropriate where an existing party files pleadings requesting that the Court join a nonparty.” *West v. Ulloa*, No. 2:17-cv-4892, 2018 WL 5974346, at *4 (C.D. Cal. Feb. 7, 2018), *report and recommendation adopted*, No. 2:17-CV-4892, 2018 WL 5915647 (C.D. Cal. Mar. 27, 2018). Lea does not discuss the intervention factors, so the Court is unable to construe his Motion as one to intervene. *See United States v. Covington Cty. Sch. Dist.*, 499 F.3d 464, 465–66 (5th Cir. 2007).

Accordingly, the Court **DENIES** Lea’s Motion for Joinder (ECF No. 7). If Lea wishes to intervene in this lawsuit, he is **DIRECTED** to file an appropriate motion. Because Lea’s Proposed

Amended Motion to Joinder (ECF No. 14-1) suffers from the same problem as his original Motion, the Court **DENIES** Lea's Motion for Leave to Amend (ECF No. 14) as futile.

SO ORDERED this **21st day of October 2020**.


Reed O'Connor
UNITED STATES DISTRICT JUDGE